SEALED

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

In the Matter of the Search of 12828 N. Mountainside Dr. #101 Fountain Hills, AZ 85268	Case No. 20-3262MB **ORDER** **(Under Seal)**

Based upon the United States of America's Motion to Extend Time to Maintain Search Warrant Materials Under Seal, and good cause appearing,

IT IS HEREBY ORDERED that the time to maintain under seal the Search Warrant and Return, the Application for Search Warrant, the Affidavit and any attachments thereto, the Motion to Seal, and the Order to Seal be extended for an additional 180 days, from May 3, 2021 to and including October 30, 2021.

IT IS FURTHER ORDERED that the instant Motion and this Order be filed under seal.

DATED this 16th day of April, 2021.

HONORABLE DEBORAH M. FINE
United States Magistrate Judge

PAUL ANTHONY MARTIN
Acting United States Attorney
District of Arizona

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FOR THE DISTRICT OF ARIZONA

In the Matter of the Search of

12828 N. Mountainside Dr. #101
Fountain Hills, AZ 85268

Case No. 20-3262MB

MOTION TO EXTEND TIME TO MAINTAIN SEARCH WARRANT MATERIALS UNDER SEAL

(First Extension)

(Under Seal)

On November 4, 2020, the Court authorized a search warrant in the above-captioned matter and ordered that the Search Warrant and Return, the Application for Search Warrant, the Affidavit and any attachments thereto, the Motion to Seal, and the Order to Seal filed in this matter ("the Sealed Materials") would remain under seal for 180 days, unless further extensions were granted by the Court. The current date on which the order to seal is set to expire is May 3, 2021. The United States is now seeking an order extending the order to seal for an additional 180 days.

An order extending the sealing of the Sealed Materials is authorized and appropriate. *See Matter of Search Warrants Executed on February 14, 1979*, 600 F.2d 1256, 1257 (9th Cir. 1979) ("[c]ourts have inherent power, as an incident of their constitutional function, to control papers filed with the courts within certain constitutional and other limitations.").

Sealed Materials are regularly maintained under seal by the Court pending the completion of a criminal investigation.

Here, an extension of the sealing order is appropriate because the search warrant relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the warrant will seriously jeopardize the investigation or unduly delay a trial, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, notify confederates, intimidate potential witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b).

Based on the foregoing, the United States respectfully requests the Court extend the time for maintaining the Sealed Materials under seal for an additional 180 days. The government further requests this Motion, and any order resulting from it, be filed under seal.

Respectfully submitted this 16th day of April, 2021.

PAUL ANTHONY MARTIN
Acting United States Attorney
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